



Regular City Council Meeting
CITY OF PUNTA GORDA, FLORIDA
326 West Marion Avenue, Punta Gorda, FL 33950
February 16, 2011

ANNOTATED AGENDA

CITY COUNCIL

Harvey Goldberg, Mayor
William F. Albers, Vice-Mayor
Rachel Keesling, Council Member
Charles Wallace, Council Member
Lawrence J. Friedman, Council Member

CITY OFFICIALS

Howard Kunik, City Manager
David Levin, City Attorney
Sue Foster, City Clerk

NOTE: Anyone wishing to address the Council on any agenda item may do so at the appropriate time during the meeting. Those who choose to speak must state their name for the record. Each person will be allowed to speak once on each subject up to a maximum of three minutes.

9:00 A.M. CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE

I. PROCLAMATION/PRESENTATIONS

A. Proclamations

B. Presentations

1. 20 Year Service Award - Jim Kirdy, Police Department

PRESENTED

2. Introduction of Board/Committee Members Nominees

II -A. PUBLIC HEARINGS

- 1. ZA-02-11** - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26, Punta Gorda Code known as "The Land Development Regulations", Article 3, "Regulating Districts", amending Section 3.13, "SRO, Special Residential Overlay District", Subsection (t), "Walkways in Rear Yards", removing provisions to increase walkway width by Special Exception; amending Chapter 26, Article 16, Section 16.10, Punta Gorda Code, "Variances", Subsection (d), "Public Hearing Notice", adding provisions for requests for Variances for structures within 6 feet of a seawall to be heard by the appropriate Canal Advisory Committee and providing additional criteria for such structures; providing for conflict and severability; and providing an effective date. **First Reading**
APPROVED 5-0
- 2. GA-01-11** - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 6, Punta Gorda Code, known as "Boats, Docks and Waterways"; Article II, "Punta Gorda Isles Canal Maintenance Assessment District", Subsection 6-28 "Same – Governing Body; Advisory Committee"; amending Subsection (b), adding a provision to require review for variance requests that are located within six (6) feet of the seawall on the property abutting the seawall; amending Article III, "Burnt Store Isles Canal Maintenance Assessment District", Subsection 6-35 "Same – Governing Body; Advisory Committee", amending Subsection (b), adding a provision to require review for variance requests that are located within six (6) feet of the seawall on the property abutting the seawall; providing for conflict and severability; and providing an effective date. **First Reading**
APPROVED 5-0
- 3. GA-06-11** - An Ordinance of the City of Punta Gorda, Florida amending and restating the City of Punta Gorda Municipal Employees' Retirement System, adopted pursuant to Ordinance No. 1286-00, as subsequently amended, by restating the City of Punta Gorda General Employees' Retirement System; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date. **First Reading**
APPROVED 5-0
- 4. GA-05-11** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 1, "General Provision", Punta Gorda Code, using reserved Section 1.7, providing for the collection of debts through the use of a collection agency, providing that the costs of collection shall be added to the amount of any debts assigned by the City to a collection agency for collection; providing for conflict and severability and providing an effective date. **First Reading**
APPROVED 5-0

II -B. QUASI-JUDICIAL PUBLIC HEARINGS

1. Pursuant to the conditions of approval of SE-02-10, Lee Designs and Creighton Commercial Development are requesting a change in the face of the ground sign for the 7-Eleven convenience store to allow the 7-Eleven convenience store to use both panels of the ground sign instead of one panel of the ground sign as was previously approved as part of SE-02-10. Said sign is located at 1121 Bal Harbor Boulevard, in Neighborhood Center (NC) zoning district. **APPROVED 5-0**
2. **SE-01-11**—A Special Exception request by William Stark, Agent for Home Depot, U.S.A., Inc., pursuant to Chapter 26, Section 16.8., Punta Gorda Code to allow sales and display in other than a completely enclosed building in the Highway Commercial (HC) Zoning District pursuant to Chapter 26, Section 3.10.(f)(5), Punta Gorda Code. **APPROVED 5-0**

II -C. ORDINANCE/RESOLUTION (No Public Hearing Required)

III. CONSENT AGENDA

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If a member of the Council desires discussion, that item(s) will be removed from the Consent Agenda and considered separately.

A. CITY CLERK'S DEPARTMENT

1. Approval of Minutes
 - a. Regular Meeting of February 2, 2011 **APPROVED 5-0**

B. FINANCE DEPARTMENT

1. Agreement award to D.M. Construction Corporation of Punta Gorda, FL for construction of San Rocco Drive drainage Improvements. **APPROVED 5-0**
2. Award of At-Will Legal Counsel Services for various City Boards to Henderson, Franklin, Starnes & Holt, P.A., of Fort Myers, Florida. **TABLED**

C. LEGAL DEPARTMENT

1. Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A., for services rendered by David M. Levin, Esq. through February 9, 2011. **APPROVED 5-0**

REGULAR AGENDA

IV. UNFINISHED BUSINESS

V. NEW BUSINESS

- A. Proposal to Amend Chapter 26, Section 12.10, Punta Gorda Code relating to Prohibited Plants and Trees
DIRECTION PROVIDED TO STAFF TO AMEND ORDINANCE TO PROVIDE WAIVER PROCESS
- B. Presentation for Downtown Holiday Tree
- C. Request for Additional Lighting on Western End of Retta Esplanade
DIRECTION TO STAFF FOR DECORATOR LIGHTS
- D. Speed Limit on Aqui Esta
30 MPH TO BE MAINTAINED
- E. Presentation by Charlotte Harbor National Estuary Program (CHNEP)

VI. RECOMMENDATION FROM CITY OFFICERS

- A. City Manager
 - 1. Discussion of agenda items for March 11, 2011 Joint Meeting with the Charlotte County Board of County Commissioners
- B. City Attorney
- C. City Clerk

VII. BOARDS AND COMMITTEES

- A. Announcement of Vacancies
 - 1. Historic Preservation Advisory Board Alternate
 - 2. Utility Advisory Board
ALL VACANCIES ANNOUNCED
- B. Nominations
 - 1. Utility Advisory Board
H. BENNETT REAPPOINTED

VIII. POLICY AND LEGISLATION

- A. Mayor
- B. Council Member Comments

IX. CITIZENS' COMMENTS

X. ADJOURNMENT

At meetings in which public hearings are reviewed, any member of the audience who wishes to speak will be recognized and heard. All persons must be sworn in prior to offering testimony. In accordance with the Americans with Disabilities Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the Office of the City Clerk at (941) 575-3369.

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